

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
January 22, 2010

The Domestic Relations Committee met at the Indiana Judicial Center on Friday, January 22, 2010 from 10:30 a.m. – 2:00 p.m.

1. Members present. Craig J. Bobay, Frances G. Hill, Karen M. Love, Sheryl L. Lynch, Lynn Murray, Nanette K. Raduenz, Frederick A. Schurger, Debbie J. Shook, Richard R. Stalbrink, and William C. Fee, Chair, were present.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Ellen Holland; Jan Raffauf, Policy Analyst; and Cynthia Longest, Deputy Director, Child Support Bureau; Karla Mantia, Indiana Prosecuting Attorneys Council; Lindsey Borschel, Web Coordinator and Daryl Stites, Web Application Developer, both from the Division of State Court Administration; and Robert Monday, PACE and Stuart Showalter, Boone County Fathers were also present.
4. Minutes approved. The minutes for the committee on October 16 and November 19, 2009 were approved by the committee.
5. Presentation by Cynthia Longest.
 - a. Cynthia Longest distributed a summary of SB 163 to committee members.
 - b. Cynthia Longest reviewed SB 163 with committee members, specifically noting the provision which would require judges in all cases to order immediate income withholding. The statute would continue to provide for an exception for good cause or an alternative arrangement. She explained the use of the exceptions under the proposed bill would require courts to indicate their use in the record.
 - c. Committee members discussed the need (1) for uniform language in child support orders to effect this proposed change in SB 163, (2) to indicate immediate income withholding should occur when the obligor is employed, if the obligor is not employed when the order is entered, and (3) to revise the Domestic Relations Benchbook in this area.
 - d. Members of the committee discussed the need for uniform procedures for use of the HIPW form, and a checklist for *pro se* litigants of items to be prepared for a dissolution case.
6. Review of Parenting Time Guidelines.
 - a. Jeffrey Bercovitz distributed a copy of Indiana's Parenting Time Guidelines and discussed the use of an expert in the development of the guideline.
 - b. Members of the committee agreed to seek funding for a review of the guidelines.
 - c. Committee members agreed to a public hearing to gather ideas about amendments to the parenting time guidelines on either March 19 or May 21.
 - d. Members of the committee discussed the need (1) to explore the difference between the use of parenting time guidelines in Dissolution and Paternity case types; (2) whether the guidelines should include some kind of education provisions, e.g. use of electronic calendars for visits, use of various websites; and (3) grandparent and great-grandparent visitation provisions.
 - e. Committee members agreed to review the parenting time guidelines and prepare comments for each area for review, with a citation to that particular area in the guidelines, before the next meeting of the committee.

7. Child support calculator reviewed.

- a. Lindsey Borschel and Daryl Stites reviewed comments about the use of the child support calculator received to date. Lindsey Borschel reported there were 21,000 hits on the child support calculator website since it went live on December 31, 2009. She stated the practitioners' calculator would be developed next by mid-February and would be the basis for the downloadable calculator ready a few weeks afterwards. Members of the committee thanked her and Daryl Stites for their hard work on the calculator.
- b. Committee members agreed not to place the old calculator on the website.

8. Parenting Coordinator subcommittee. Mag. Bobay reported the parenting coordinator subcommittee agreed to prepare a rule in the area, which would regulate parenting coordinator conduct. They also agreed to look at other state rules and statutes in this area.

9. Future meeting dates. Members of the committee agreed to meet again on Friday, February 19, March 19, May 21, July 16 and August 20 from 10:30 a.m. – 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law